

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

**CLAXTON H. WILLIAMS, Inmate
#N62439,**

Plaintiff,

VS.

ROD R. BLAGOJEVICH, *et al.*,

Defendants.

CIVIL NO. 06-772-MJR

MEMORANDUM AND ORDER

REAGAN, District Judge:

Plaintiff seeks issuance of a temporary restraining order (TRO), which is an order issued without notice to the party to be enjoined that may last no more than ten days. A TRO may issue without notice

only if (1) it clearly appears from the specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before the adverse party or that party's attorney can be heard in opposition, and (2) the applicant's attorney certifies to the court in writing the efforts, if any, which have been made to give the notice and the reasons supporting the claim that notice should not be required.

FED.R.CIV.P. 65(b). Without expressing any opinion on the merits of any other of Plaintiff's claims for relief, the Court is of the opinion that a TRO should not issue in this matter. Plaintiff's allegations do not set forth specific facts demonstrating the likelihood of immediate and irreparable harm *before Defendants can be heard*.

Moreover, federal courts must exercise equitable restraint in when asked to take over the administration of a prison, something that is best left to correctional officials and their staff.

IT IS THEREFORE ORDERED that the request for issuance of a temporary restraining order (Doc. 3) is **DENIED**.

IT IS SO ORDERED.

DATED this 9th day of July, 2007.

s/ Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge